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THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 343.

THE NORWEGIANS, AND THE PRETENDER TO THEIR CROWN.

We cannot help fancying some of our readers taking this number of the *Examiner* between their forefinger and thumb when it comes wet from the press, and after giving a glance at the head of the present article, exclaiming, "What, more of this BERNADOTTE still!" We admit the exclamation to be a natural one; and frankly confess, that a hypochondriac, with a good fit of the bile upon him, could not more heavily set about any thing, or cast up more yawning and conflicting looks of anticipation at a rainy sky, than we do in returning to the consideration of that north-easterly Potentate.

Nor can we at all pretend to shew, that there is any thing in this person's character calculated, in the remotest manner, to enliven a history of his proceedings. Those who have gone before him in the annals of violence and usurpation, have generally had something about them which their flatterers have called brilliant, and which has at all events served to extricate them from the charge of direct insipidity. His fore-runner in Norway, CHARLES the 12th, though upon the whole he was of the harlequin order of wits, taciturn and restless, and his waggery lay in his sword, is nevertheless said to have begun his career with a bon-mot;—LOUIS the 14th, by the help of the wits of his court, would occasionally say a passable thing, and at any rate had an imposing air with him;—FREDERICK the Second, whom the players at the Lyceum continue to call the Great, and whom they have also discovered to have possessed a heart, valued himself more perhaps on his railleries than his victories, and must be allowed to have been pungent enough sometimes, though he had an awkward trick of preventing repartee by resuming his royalty;—nay, even his old master and model BONAPARTE, though accounted so vulgar a fellow by the aristocrats, and not to be compared in accomplishments with FERDINAND of Spain, the PRINCE REGENT of Portugal, and others, has had an effect in his day, has danced, complimented, and seen his memorable sayings collected, not to mention the romantic air of his first achievements, and his knack at being here and there in a twinkling, to the last. But of all the pretenders to glory, this Swedish Frenchman seems to be the dullest and most ungain. There is no relief in his portrait, even of a glaring kind,—not a point about him, even erroneously ornamental. A sort of mimicking and tall-boy ambition,—an open abandonment of principle, with a face as if he were not conscious of it,—a dry hard-featured pertinacity, mixed with a ridiculous look of imbecility and irresolution, as if he were resolved upon the end, but could take the longest and most shuffling means to come to it,—these appear to be his distinguishing features; and make him look at the head of his adopted subjects like a gawky lad, who has come from a greater academy to a less, and leads out the little boys to conquer the next day-school in order to shew them his manhood.

We are far from lamenting that there is nothing more prepossessing in such a character. We are only apologizing for the almost inevitable dullness of those who have to contemplate it. It's own insipidity is a good thing for the world, and helps at once to excite a more scornful resistance in those whom it would beat down, and to damp the effects of ill-example in those whom the spirit of conquest might inflame. No mistaken admiration, it is clear, can open the way for such a person's designs on others, nor will they who might not be deterred from ambition by the more splendid iniquities of NAPOLEON, catch additional ardour from the winking light of his imitator. The latter indeed resembles the former about as much as stage lightning does that of the sky. While it affects lustre and dispatch, it comes quivering forth with a dim and dilatory pretension, and just enables us to discern the poverty of it's trumpery elements.

But if such is the little personal interest which this man can excite among distant and calm observers, what sort of advantageous impression can he hope to make upon a people, among whom his very coming is one of the worst of insults? It is to them and their injuries we must turn, whenever the idea of their invader threatens to disgust us too much with the present subject; it is they and their injuries, that alone render it worth while to speak of him at all; but in the mean time, they do render the subject of great importance; and perhaps there is not a word uttered upon it in this country, which may not ultimately turn to the benefit of that gallant people. Words make their way much more quickly than the sword, and not seldom prevent the other from coming after them. The whole existing state of the world, though far, Heaven knows, from being as reasonably bettered as it might be, is an example of the predominant power of opinion.

We repeat our question then, in spite of the threatened assembly which is to give up every thing to BERNADOTTE, and in spite of his own affected airs of security in drawing off from the contest. That the Diet is to assemble at all, after the speedy work which he undertook to make with his conquest, is no argument in his favour; and if it is true, as now reported, that several districts have expressed their determination to send no representatives thither, it looks as if the people still resented the very idea of making

his pretensions a question. The angry spirit manifested at Christiania against the advisers of the Convention is said to have again vented itself in threats and placards; and the nervous illness which has attacked Prince CHRISTIAN, and brought him to a great state of weakness, seems an additional proof that the disapprobation of his late measures must have been very strong. It certainly struck us, that his conduct was far from answering to what the Norwegians had a right to expect of him; but he is young, and perhaps was deceived by traitorous advisers; and it is impossible not to sympathize with a distress which seems a proof of his sensibility.

The Norwegian peasantry are the persons who must ultimately settle the destiny of their country; for though their late Generals, who were not perhaps natives of the same soil, may have shewn symptoms of yielding,—nay, though the crown may in so many words be transferred to a foreign Prince, it will not follow, even in the latter case, that the body of the Norwegian people will consent to regard themselves as conquered men and subjects of Sweden; and should possession appear to be kept for a time, the first trouble, which the latter country experiences, will most likely be the signal for a complete finish to it's Norwegian pretensions. Luckily, the peasantry are not to be misled like the Prince and his Counsellors. They have no interests foreign to those of their own soil; they have nothing about them, to which the same appeals can be made as to men of the world; they are liable to no sophistications; their arguments stand about them in the shape of present comforts, of domestic and patriotic associations, of homes, wives, children, parents, and the hitherto unconquered Norwegian name; and he who would overturn these, must come armed with a more forcible logic than serves to convince the weak and the time-serving, or to fill up a few idle paragraphs in the newspapers.

Let us think for a moment of the feelings with which this artless but high-spirited people must receive BERNADOTTE and his arguments. We must recollect, that living as they do out of "the great world," they can know and care very little about foreign princes, and generals, and "high contracting parties." Their sole idea of BERNADOTTE is perhaps that of a stout sort of enemy, mixed with a contemptuous notion of his understanding in thinking to conquer them, and a kind of rambling wonderment between what they hear of his present designs, of his former history, and of his being a Frenchman at the head of the Swedes. This last contemplation of him in particular can do neither him nor his soldiers any good; for they must infallibly regard him as a sort of renegade from his own country, and feel a surprising scorn at their neighbours who could submit to the reception of so mongrel an authority.

This man, with his reputation both good and bad before him, comes among them, and tells them that they must submit to his sway, because their King has given them up to him.

PEASANTRY. Stand off;—we do not know what you mean by our King giving us up; we are sorry for him, if he is in your clutches; but though he may give you his crown, he cannot give you our affections and obedience, and we chuse to keep them for a government of our own.

BERNADOTTE. But I will make you happy.

P. But we are happy enough already.

B. Yes, but I will make you more free than you were under your former sovereign, and you are too gallant a people not to be fond of freedom.

P. We are so, and that is the reason why we chuse to have nothing to do with you. We tell you, that we shall transfer our obedience to a government of our own, which shall be altogether Norwegian, and which we can make as free as we please. If you are so fond of bestowing freedom, why did you force on your own future subjects that villainous thing of which we hear, called the Conscription?

B. Oh—the Conscription! Evil-minded people misinform you about it—besides, it is only a temporary measure, and I promise you, you shall have none of it.

P. Oh yes;—truly you are very likely to treat us better than your own people.

B. You misunderstand me. When this unnatural war—

P. Who began it?

B. Hear me out. When this unnatural war is over, there will be no necessity for any thing further of an unpleasant nature. All the Scandinavians will live like brothers; that is my great object; "I could die for the happiness of the Scandinavians."

P. Ah, ha! A Frenchman, and die for the happiness of the Scandinavians;—Come, come,—we are not a very learned people, but we have common sense and the love of truth; and we plainly tell you, that we look upon you as an impostor.

B. (Reddening.) An impostor!—If any body but a Norwegian had said so, this sword should have been through him. Why, I am Crown Prince of Sweden, the Kings and Emperors, my allies, have sanctioned my proceedings, and I have the King my adopted father with me to sanction them also.

P. We know nothing of your adopted father, except that he has a rogue for his son; and as for the other persons of whom you spoke, we do not care for all the Kings and Emperors in the world in comparison with our freedom.

B. You do not? Why, this is pure Jacobinism.—Well, we shall see. I do not come here to talk, but to claim my right and property.

P. You must have mistaken your way.

B. Nonsense! I say, I come here to claim the country that has been made over to me and my family by your former possessor.

P. Possessor! We possessed him, as much as he possessed us. He was of a Norwegian stock, and if he chuses to forget his family, it is no reason why we should forget ours. You say what we do not understand, when you

talk of having had the country made over to you. Has our poor King removed these mountains? Has he transferred our cottages, our wives, and our children into Sweden? Has he whistled the graves of our fathers and mothers underneath your own burial-grounds? Then, and not till then, can we become members of another country, and reconcile the love of our own soil with the service of yours.

B. There is no talking with these dolts!—Fools, are you aware that the new King you have chosen has given you up also, and that he has made a Convention with me?

P. Poor young man! Woe betide those who advised him to it!

B. Yet I have sent your very countrymen who fought against me, home again, with money in their purses.

P. You have, because you thought to cajole us. You come to knock us down, and then give us money not to return the blow. You are out in your reckoning, and we shall chalk up the mistake on your back before you have done with us. We care neither for your Convention, nor for the Diet which you say is to give us up also. Every body, it seems, is giving us up; but for our parts, we find our homes as stationary, and our hearts as unyielding as ever; and you will find that a town or two in the south is not all Norway, nor a fiftieth part of it.

B. Well, I shall waste my time no longer. You are insensible to reason, and it only remains for me, when I have settled a little business,—

P. (with a smile) Ay, ay; we thought you would not be quite so quick as you promised.

B. I say, it only remains for me, when I come back from meeting my royal and imperial friends at the Congress, to bring up the remainder of my troops, if you continue refractory, and settle the matter at once. Those are the best arguments, I find; and they are irresistible.

P. Irresistible! Poor creature, not to know that trees which are rotten at heart are fit only for cutting down. You see our families about us,—our homes, our native mountains,—our wives and children,—all the dear hearts (count not upon these tears,—'tis men that shed them;)—all the dear hearts, against which you are bringing up your detestable bayonets:—*These* are *our* arguments, and they can resist any thing.

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FOREIGN INTELLIGENCE.

FRANCE.

Paris, Sept. 18.—By an ordinance of the King, it is decreed, that all criminals, *under the age of twenty*, shall be taken from the various prisons in Paris and the neighbouring departments, and be collected into one prison, over which a Director-General shall be appointed.—The celebrated Duke de la Rochefoucault has been appointed to this office.—The idea of separating sexes and ages in prisons, and of proportioning the rigour of detention and the severity of treatment to the nature of offences, is undoubtedly most happy, and humanity cannot fail to applaud it; but the project of reforming criminals, of correcting their evil thoughts, of mending their vicious habits, and of impressing them with the desire of a better morality and conduct; this project, we say, is infinitely better: it can only arise in a very experienced mind, and a generous and tender heart; and those who have studied the first experiments, who have followed the details, and who have conceived the possibility and the design of repeating them, and of naturalising them in other climates, assuredly possess the same qualities, and are entitled to the same praises. The English, and particularly the Americans, have made, in this respect, attempts worthy of admiration, and which are one of the happiest effects of the perfection of the social art. The work of M. the Duke de Liancourt (now Duke de la Rochefoucault) describes the methods which have been employed in the United States to restore to morality the hardened offenders who generally occupy prisons, and to introduce insensibly into their souls the seeds of honesty and virtue. That generous patriot, who devoted himself in his travels to the study of wise institutions and useful practices, with a view to enrich his country with them, after having communicated to France the experiments and proceedings of Jenner in vaccination, after having contributed to excite an enthusiasm for this discovery, which he has more than any other person contributed to spread, has also had the idea of trying in France the power of habit and regulation over the passions of men, and of discovering to what extent treatments wisely combined can soften the most refractory and violent dispositions; he was well assured of being seconded in such an undertaking by the wise and benevolent Minister, who combines in his great department the establishments both of charity and of prisons, and was equally sure of seeing a project so useful to mankind sanctioned and protected by a wise and humane Monarch, who condescends to regard even the lowest classes, and to whom nothing that affects humanity is a stranger.

GERMANY.

Vienna, Sept. 4.—The Pope's Nuncio has officially communicated to the Foreign Ambassadors here the re-establishment of the Jesuits, and recommended a favourable reception of the Order in all the states of Europe.—Several members of the family of Bonaparte seem desirous to fix their abode in our monarchy, and even in or near the capital; but it has not been judged proper to allow of their presence, and they have been ordered to leave the country without loss of time.

From the Rhine.—The fallen angels assemble in Switzerland. Expelled Kings buy estates, pay their court to the handsomest and richest girls in the country, and endeavour to set on foot by these means numerous intrigues. The people in that country universally attribute to the Ex-King of Westphalia a great influence on the armaments at Rome. As he has once tasted the sweets of sovereignty, he still has a longing for the dainty food, and has his eyes fixed on Switzerland, where the people are said to be much inclined to France. At Baden, Eugene and Hortense have spread their nets, and brood over no good for Germany.—There now are collected the dregs of German and French nobility, and such as do not come of themselves are fetched by expresses; for those who know how to go on crooked ways are useful on such occasions. Napoleon meantime sits confined in Elba, expecting that bastars will rise again. He expects in vain. He who was once in the centre, and is thrown from it by the revolution of the whole, will

eternally remain on the circumference. All his good fortune is gone; his throne of life extinguished. The Marshals whom he tormented to death, are happy that their scourge is destroyed, and that they may now be at peace. His return would subject them to vengeance. Those who have saved their property, or have acquired and stolen more, are against him, because property never had a greater enemy than his tyranny. The armies are for him, and even the peasants, but as he is remote they will learn to do without him; and if a new war does not give them what they want, all will run into separate channels and gradually disappear.

SPAIN.

CADIZ, AUG. 30.—The turbulence and seditious conduct of some individuals have given rise to the following Order of the Day and Proclamation, which have been every where posted:—

ORDER OF THE DAY.

"My preceding Proclamations have produced no effect. Traitors and disturbers of the public tranquillity continue to deceive the people, still improvident and credulous. These crimes must no longer remain unpunished. I have fulfilled the obligations imposed upon me by the office which I hold. Justice will henceforth only be satisfied by that celerity which circumstances demand. I declare that, *considering myself in a state of war*, a Military Commission will be immediately appointed. In the space of three days the proceedings will be gone through, and decided upon according to military regulations; and I will cause to be delivered over to that Commission every individual accused of having, directly or indirectly, *spoken* against the Sovereignty of Ferdinand VII. to whom the nation has sworn fidelity, or resorted to any other stratagem *tending* to lead astray public opinion; because every one ought implicitly to obey the orders of a Monarch recognised by the powers of Europe, and the orders of the constituted authorities, who wish to maintain the public tranquillity throughout the department confided to me.

(Signed) "VILLAVICENCIO.

"*Cadiz, Aug.* 28, 1814."

PROCLAMATION.

"The Captain General of the Province of Cadiz, who according to the orders and the paternal intentions of *the best of Kings*, has hitherto treated as a father the inhabitants of this province, is now convinced that rigour is necessary. He will in consequence deal with the guilty according to the nature of their offence, and cause to be respected the name of Ferdinand VII. King of Spain and the Indies, recognized by the nation, by all the powers of Europe, and replaced by the valour and fidelity of his subjects and his armies on a throne which all the power of the tyrant could not wrest from him.

(Signed) "JUAN DE VILLAVICENCIO.

"*Cadiz, Aug.* 28, 1814.

AMERICA.

(OFFICIAL.)—BATTLE OF CHIPPAWA.

Copy of a Letter from Captain L. Austin, Aid to General Brown, to the Secretary of War, dated head-quarters, Buffalo, July 29, 1814:—

I have the honour of addressing you by desire of General Brown, who is now confined by wounds received in a severe engagement with the enemy on the afternoon and night of the 25th instant.—Our army had fallen back to Chippawa. The enemy collecting every regiment from Burlington and York, and meeting with no opposition on Lake Ontario, transported by water to Fort George troops from Kingston and even Prescott, which enabled them to bring against us a force vastly superior, under the command of Lieut.-General Drummond and Major-General Riall. They were met by us near the falls of Niagara, where a most severe conflict ensued. The enemy disputed the ground with resolution, yet were driven from every position they attempted to hold. We stormed his batteries directly in front, and took possession of all his artillery. Notwithstanding his immense superiority both in numbers and position, he was completely defeated, and our troops remained on the battle ground without any interruption. As, however, both General Brown and General Scott had received severe wounds, almost every Chief of battalion disabled, and our men quite exhausted, it was thought proper to retire to our encampment, which was done in good order, without any molestation from the enemy—our wounded having first been removed. Major-General Riall, with the Aid-de-Camp of Lieut.-General Drummond and about twenty other officers, with 200 privates, are taken prisoners. The loss on both sides is immense—but no account has yet been returned. The Aid and Brigade-Major of General Scott are both severely wounded, and Captain Spencer, an Aid of Gen. Brown, most probably dead, having received two balls through his body. Both Generals Brown and Scott are on this side confined by their wounds. General Ripley commands on the other. I have the honour to be, very respectfully, Sir, your most obedient servant, L. AUSTIN, A. D. Camp.

Hon. Secretary of War, Washington,

P.S. General Brown received his wounds at the same instant, during a late part of the action, but still continued to keep his horse until exhausted by loss of blood. This probably has rendered his wounds more painful than they would otherwise have been.

IRELAND.

JUDGE FLETCHER'S CHARGE TO THE GRAND JURY OF THE COUNTY OF WEXFORD, AT THE SUMMER ASSIZES, 1814.

[*Continued and concluded from last Week.*]

"There may be other causes of discontent in other counties. Those I have mentioned may not apply to your county. If they did apply, I would not shrink from exposing them—I would not now, when advanced in life, and uninfluenced by any hopes or fears; for, whilst I was young, I was equally careless of the smiles and frowns of men in power.

"Gentlemen,—I had an opportunity of urging some of these topics upon the attention of a distinguished personage—I mean Lord Redesdale, who filled the high office of Lord Chancellor here some years ago. I was then at the Bar. His Lordship did me the honour of a visit after I had returned from Circuit—at a time when many alarms, of one kind or another, floated in this country. He was pleased to require my opinion of the state of the country: I averred, that I thought it was as tranquil as ever it had been; but I did ask his permission to suggest certain measures, which, in my opinion, would go very far towards allaying the discontents of the people. One of those measures was, a Reform of the Magistracy in Ireland,—another was, a Commutation of Tithes, if it could be satisfactorily effected,—a third was, the suppression of the home consumption of Whiskey, and the institution of a wholesome malt liquor in its stead. I requested his Lordship to recollect, that Hogarth's print of "Gin Alley" is an unerring witness to testify what the English people would now be, if they had nothing but a pernicious spirituous liquor to drink. A man who drinks to excess of malt liquor becomes only stupified, and he sleeps it off; but he, whose intoxication arises from those spirituous liquors (which we know are too often adulterated by the most poisonous ingredients), adds only fever to his strength. Thus the unfortunate peasant in Ireland is maddened instead of being invigorated; and he starts out into acts of riot and disturbance like a furious wild beast, let loose upon the community. I took the freedom to add, "Reform the Magistracy of Ireland, my Lord. You have the power to do this; and until you do it, in vain will you expect tranquillity or content in the country."—His Lordship was pleased to lend a courteous attention to these opinions; and I do believe that his own natural judgment and good inclination would have prompted him to measures beneficial to Ireland and honourable to his fame.

"Gentlemen,—This subject brings me to a consideration of the Magistracy of the Country. Of these I must say, that some are over zealous—others too supine: distracted into parties, they are too often governed by their private passions, to the disgrace of public justice and the frequent disturbance of the country.

"Here let me solicit your particular attention to some of the grievous mischiefs, flowing from the misconduct of certain Magistrates; one is occasioned by an excessive eagerness to crowd the gaols with prisoners, and to swell the calendars with crimes. Hence the amazing disproportion between the number of the committals and of the convictions, between accusation and evidence, between hasty suspicion and actual guilt. Committals have been too frequently made out (in other counties) upon light and trivial grounds, without reflecting upon the evil consequences of wresting a peasant (probably innocent) from the bosom of his family—immuring him for weeks or months in a noisome gaol amongst vicious companions. He is afterwards acquitted or not prosecuted; and returns a lost man, in health and morals, to his ruined and beggared family. This is a hideous but common picture.

"Again, fines and forfeited recognizances are multiplied through the misconduct of a Magistrate. He binds over a prosecutor, under a heavy recognizance, to attend at a distant Assizes, where it is probable that the man's poverty or private necessities must prevent his attending. The man makes default—his recognizance is forfeited—he is committed to the county gaol upon a Green Wax Process—and, after long confinement, he is finally discharged at the Assizes, pursuant to the Statute; and from an industrious cottier he is degraded, from henceforth, into a beggar and a vagrant.

"Other Magistrates presume to make out vague committals, without specifying the day of the offence charged, the place, or any other particular, from which the unfortunate prisoner could have notice to prepare his defence. This suppression is highly indecorous, unfeeling, and unjust; and it deserves, upon every occasion, a severe reprobation of the Magistrate, who thus deprives his fellow-subject of his rightful opportunity of defence.

"There are parts of Ireland where, from the absence of the Gentlemen of the County, a race of Magistrates has sprung up who ought never have borne the King's Commission. The vast powers entrusted to those officers call for an upright, zealous, and conscientious discharge of their duty.

"Gentlemen,—As to Tithes, they are generally complained of as a great grievance. In the times in which we live they are a tax upon industry, upon enterprize, and upon agricultural skill. Is a man intelligent and industrious—does he, by agriculture, reclaim a tract of land, and make it productive of corn, he is visited and harassed by the Tithe Proctor; does his neighbour, through want of inclination or of skill, keep his farm in pasture and unimproved, he is exonerated from the burden of tithes, and from the visitations of any Clergy not belonging to his own Church. Far be it from me to say that tithes are not due to the Clergy. By the law of the land they have as good a title to their tithes as any of you have to your estates; and I am convinced that the Clergyman does not, in any instance, exact what he is strictly entitled to. But this mode of assessment has been much complained of; and it is particularly felt in this country, because the Catholic receives no spiritual comfort from his Protestant Rector; he knows him only through the Tithe Proctor, and he has, moreover, his own Pastor to pay. This is the reason why he thinks it a grievance; and I must admit, that although the Clergyman does not receive all that he is entitled to, and although it may not be a grievance in another country, yet the tithe system is a painful system for Ireland.

"Gentlemen,—You have in your power another remedy for public commotions. I allude to the assessment of the presentment money upon your county. It seems that the sum of 9000*l.* is now demanded to be levied; whether this sum is or is not an exorbitant one for this county I know not. It is a tax of which you will impose the greater part, or perhaps the whole, upon your county, and it falls wholly upon the occupying tenants or farmers: pray keep this circumstance constantly in your minds—the benefit of this tax is your own. By its operation, you have your farms well divided and improved—good roads made round your estates—useful bridges and walls erected; indeed I have known counties which have been parcelled out to undertakers by baronies, and where no man could get a job without the consent of the baronial undertaker; they met and commuted, and it was thus agreed:—"I give you your job here, and you give me my job there." I may be asked, why do I mention these things? the Grand Jury know them very well; but then they ought to be concealed. Miserable, infatuated notion! these things are not concealed; there is not a Grand Jury job in the country which is not known and commented upon by the peasantry—Every mischief and every enormity I have this day stated is as thoroughly well knowo to the peasantry as to the gentry throughout Ireland. The affected apprehension of exciting and exasperating them, by a reprobation of those enormities, is puerile and contemptible. It cannot do mischief—it cannot add to the poignancy of their feelings—it may allay or soothe them: already those exactions are the subject of discussion and of minute scrutiny in every cabin; what are the consequences? dreadful heart-burnings and deep murmurs: the visit of the constable who collects the cess is a day of general mourning and distress and tribulation. I spoke freely of these things to the Grand Jury of the county of Tipperary: what was the beneficial result? the Foreman (Mr. Bagwell) came forward soon afterwards from the Grand Jury-room, and stated publicly in Court, that in consequence of my Charge, he, and his Fellow-Jurors, had thrown out applications for presentments to the amount of 9,600*l.*—These may be presumed to be jobs, under pretence of building walls and bridges, filling hollows, lowering hills, &c. Here indeed, were some good done, by this sudden impulse of economy, here were the fruits of a free and candid exhortation before the public eye.

"Gentlemen,—The Judge, whose duty it is to pass the presentments, can be of little service towards a "job"—he has no local knowledge—he knows not the distances—the rates—the state of repairs—or the views of the parties. He may, indeed, suspect the job, and tear the suspected presentment; but he may tear, inadvertently, that which is useful, and let the job pass. Therefore for the sake of the country, do as Mr. Bagwell did at Clonmel.—Begin the reformation; and discountenance, firmly, all parcelling of "jobs."

"Gentlemen,—when I visited the House of Industry at Clonmel, (which is liberally and conscientiously conducted by an association, consisting of persons of every religious persuasion, with the Protestant Parson and the Catholic Priest at their head) never did my eyes witness a more blessed sight—I immediately asked, "what do you pay to the Matron, and to the Manager?" The sum was mentioned—it was small.—"I suppose," said I, "it is no object of a county job."—Mr. Grubb—the benevolent Mr. Grubb, smiled, and said, "You have hit it, my Lord—that is the fact."

"But there is one remedy, that would, in my estimation more than any other, especially contribute to soothe the minds of the discontented peasantry, and, thereby, to enable them patiently to suffer the pressure of those burthens, which cannot, under existing circumstances, be effectually removed—I mean the "Equal and impartial Administration of Justice,"—of that Justice which the rich can pursue, until it be attained; but which, that it may benefit the cottager, should be brought home to his door. Such an Administration of Justice would greatly reconcile the lower orders of the people with the Government under which they live; and, at no very distant period, I hope, attach them to the law, by imparting its benefits, and extending its protection to them, in actual and uniform experience.—Gentlemen, if you ask me, how may this be accomplished? I answer, by a vigilant superintendance of the Administration of Justice at Quarter Sessions, and an anxious observance of the conduct of the Justices of Peace.—Perhaps, the Commission of the Peace, in every county in the kingdom, should be examined. During a long war, in seasons of popular commotion, under Chief Governors, (all acting, unquestionably, with good intentions, but upon various principles and different views) it is not improbable, that many men have crept into the

Commission, who, however useful they might occasionally have been, ought not to remain.—The needy adventurer—the hunter for preferment—the intemperate zealot—the trader in false loyalty—the jobbers of absentees—if any of these various descriptions of individuals are now to be found, their names should be expunged from the Commission; and if such a mode of proceeding should thin the Commission, vacancies might be supplied, by soliciting every gentleman of property and consideration to discharge some part of that debt of duty, which he owes to himself and the country, by accepting the office of Justice of Peace.—Should their number be inadequate to supply the deficiency, Clergymen, long and resident on their benefices—more inclined to follow the precepts of their divine master—by feeding the hungry and clothing the naked Catholic (although adhering to the communion of his fathers, he should conscientiously decline to receive from him spiritual consolation,) not harassing and vexing him by a new mode of tithing, and an increase of tithes; but seeking to compensate the Dissentients from his communion for the income he derives from their labour, by shewing a regard for their temporal welfare—attached to their Protestant flocks by a mutual interchange of good offices, by affection and by habit. Such a man, anxiously endeavouring, not to distract and divide, but to conciliate all sects and parties, would, from his education, his leisure, his local knowledge, be a splendid acquisition to the Magistracy, and a public blessing to the district committed to his care. Men of this description are retired and unobtrusive; but, I trust, if sought after, many such may be found. Persons there have been of a sort, differing widely from these I have described. These men identify their preferment with the welfare of the Church; and if you had believed them, whatever advanced the one, necessarily promoted the other. Some Clergyman there may have been, who in a period of distraction, perusing the Old Testament with more attention than the New, and admiring the glories of Joshua, (the son of Nun,) fancied they perceived in the Catholics the Canaanites of old; and, at the head of Militia and armed Yeomanry, wished to conquer from them the promised glebe. Such men, I hope are not now to be found in that most respectable order; and if they are, I need scarcely add, they should no longer remain in the Commission.

"Gentlemen,—I must further admonish you, if you are infested with any of the Orange or Green associations in this country, to discourage them—discourage all processions and commemorations connected with them, and you will promote the peace and concord of the country; but suffer them to prevail, and how can justice be administered?—"I am a loyal man," says a witness—that is, "Gentlemen of the Petty Jury, believe me, let me swear what I will."—When he swears he is a loyal man, he means, "Gentlemen of the Jury, forget your oaths and acquit the Orangemen." A truly loyal man is one who his attached to the Constitution under which we live; and who respects and is governed by the laws, which impart more personal freedom, when properly administered, than any other code of laws in existence. If there are disturbances in the country, the truly loyal man endeavours to appease them.—The truly loyal man is peaceful and quiet—he does his utmost to prevent commotion; and, if he cannot prevent it, he is at his post, ready to perform his duty in the day of peril. But what says the loyal man of another description—the mere pretender to loyalty? "I am a loyal man, in times of tranquillity—I am attached to the present order of things, as far as I can get any good by it—I malign every man of a different opinion from those whom I serve—I bring my loyalty to market." Such loyalty has born higher or lower prices, according to the different periods of modern times; he exposes it to sale in open market, at all times—seeking continually for a purchaser.

"Such are the pretenders to loyalty, many of whom I have seen; and incalculable mischief they perpetrate. It is not their interest, but their country should be peaceful—their [illegible] of troubled waters."

[illegible] had a long professional experience of [illegible] travelling two Circuits every year—[illegible] result of my professional observations [illegible]—perhaps the sincerity, with which I [illegible] observations, may excite some displeasure.—But I hope they may do some good, and I am pretty indifferent, whether they are found disagreeable or not—living a great part of my life in the hurry of professional pursuits, I have employed the moments of my leisure in literary retirement. Attached to no party, I have never mixed with the zealots of either—I have been assailed and calumniated by both. Such is the lot of the man, endeavouring to do his duty, with firmness and sincerity.

"Gentlemen,—If any of you be disposed to think, that this address would be better suited to another place and another occasion—to such I answer, that I have embraced the opportunity thus afforded to me, of addressing you, in order to state what have appeared the causes of popular commotions, and the remedies likely to assuage and prevent them in those several counties, where, within the last five years, I have borne the King's Commission. I consider the present occasion a peculiarly seasonable one for such an address. We approach towards the close of a Circuit, whose usual order had been inverted for the purpose of delivering the crowded gaols, and bringing to speedy trial those men with whom they were filled, and who stood charged with the perpetration of almost every crime known to the Criminal Code. It seemed to me expedient, if such subjects as I have brought before you were touched upon, to do so in a county profoundly tranquil, where no danger could be apprehended, even by the most timid and fastidious, of agitating the minds of the peasantry by a public discussion.

"Gentlemen,—Two Bills, of importance to the public peace of Ireland, have recently passed both Houses of Parliament, almost, as I believe, without observation and, certainly, without public inquiry into the state of the country. Having formed an opinion upon the causes of popular discontents and public commotions in these counties, which I have within these five years visited, I thought it expedient, openly from this place, to state this opinion; hoping, that my judgment being founded, not upon secret whisperings or private communications, but upon the solemnity of public trials and the authenticity of criminal records, may have some weight towards suggesting the expediency of resorting to other means of tranquillizing Ireland, than those hitherto resorted to—banishment, the rope, and the gibbet. These expedients have been repeatedly tried, and have, by the acknowledgment of those who have used them, hitherto proved ineffectual. And here I must entreat, that I may not be wilfully mistaken and purposely misunderstood by any man, or class of men. I mean not to question, in the slightest degree, the prudence of the Irish Government in introducing, or the wisdom of the Legislature in enacting those laws; they may be suitable (for any thing I know to the contrary) to the existing state of things in some of these counties, where the discharge of my public duty has not yet called me. In others, although it may not be immediately necessary to put them into active operation, the notoriety of their existence in the Statute Book may be a wholesome warning to the turbulent and the audacious. But having in addressing you taken occasion to give you my opinion on different subjects (the statement of which, however erroneous those opinions should appear to be, may produce some good, by soliciting the attention of the enlightened men in both countries to the same subjects) I feel myself more especially called upon, by a sense of public duty, to say a few words to you upon the scope and object of these Bills—I say, more especially called upon, by reasons of those important, though contradictory publications, in the Wexford Journals, now laid before me, and to which I have already adverted. Whence that contradiction of sentiment could originate between persons resident in the same county, and having (one would imagine) equal opportunities of information, it is not for me to conjecture; but its indisputable existence in the months of March and April last (subsequently to your last Assizes), calls upon me briefly to explain to you the purport of those Acts, which some of you may deem it expedient to call into active operation.

"With one of those Acts you have had a former acquaintance. It is the old Insurrection Act, which, after having perished, is now revived and re-enacted for Ireland. The other is called the Peace Preservation Bill. The Insurrection Act consists, as you all know, of a complete suspension of the

English Constitution—of English Law—of the Trial by Jury. Under these new laws, taken together, any seven Magistrates may meet, and recommend the county or district to be proclaimed by the Lord Lieutenant, as being in a state of disturbance. When the Proclamation has once issued, every person must stay at home after a certain hour. You are to have the assistance of a Learned Serjeant from town, who may send abroad offenders in a summary way.

"Gentlemen,—I have seen times, when persons who thinking the lives named in their tenant's leases were lasting somewhat too long, have, by the aid of such a law, found means to recommend a trip across the Atlantic, to the persons thus unreasonably attached to life; and thus achieved the downfall of a beneficial lease, and a comfortable rise of their income in consequence. Such things have occurred—I have known the fact!!

"Gentlemen,—I may be told that the state of the country requires its re-enactment. It may be so: I am not in possession of the secrets of the Castle. A desperate state of things calls for desperate remedies.

"Gentlemen,—The other Act of Parliament is the Peace Preservation Bill. It is a wholesome mode of administering the old powers, already vested by law in the Magistrates. Any seven Magistrates may recommend the application of this remedy; and either for the county at large, or any particular barony or district in the county. If their recommendation should be acceded to by the Lord Lieutenant, this Bill comes into immediate operation. Now, you are to meet—a head Magistrate is to be appointed at a salary of 700*l.* a-year—he is also to have a house and offices—his clerk is to get a salary of 150*l.* a-year—the constables are to get 100*l.* a-year each; any seven of your Magistrates may get all this done. But listen to one thing more; the disturbed district is to pay the expence of the whole.

"Gentlemen,—I have trespassed long upon your attention; but I hope, from the tranquil state of your county, that I have not unaptly chosen the present season for making those observations. See the necessity of some public discussion of those subjects, in order to extinguish all exaggeration and misrepresentation. I need not travel far back for a curious instance. I have seen, to my surprise, in the *Courier* Newspaper, a story of myself, which has been copied into the *Pilot*. It is so very short that I shall read it:—"Such is the disturbed state of Ireland, that one of the Judges of Assize, upon the Leinster Circuit, Mr. Justice Fletcher, in coming from Kilkenny to Clonmel, was pelted by stones in the town of Callan, and owed his safety to the dragoons that escorted him."—When I reached Waterford, I was still more surprised to see one newspaper lamenting that I had been "shot at;" but another protested that it was all a gross falsehood. Now, what was the truth? As I passed through Callan an escort of a few dragoons attended me. This escort, by the bye, is one of the mischiefs of those alarms—a mischief which never occurs in England. *There*, the Gentlemen of consideration in the county come out to meet the Judge, with led horses and equipages, and with every suitable mark of respect and attention—not indeed paid to the Judge individually, nor desired by him, but an attention and respect due to the Law, which the Judge comes to administer. But what was the case in Kilkenny? The High Sheriff not appearing at all; perhaps, as a duty beneath him, or for some other reason—the Sub-Sheriff unwilling enough to be burdened with the trouble, and anxious to get rid of us—two or three miserable Bailiffs, mounted upon wretched little horses, brandishing an enormous length of halbert, resembling so many Cossacks in every thing but utility—and attended by an escort of four or five dragoons—(for the Sheriff is not at the expence of paying the dragoons.) Indeed, where needy or penurious High Sheriffs are nominated, and where the office of Sub-Sheriff becomes an affair of indirect management, an improper, an inefficient attendance upon the Circuit Judges is generally to be expected. However, thus attended (or rather unattended), we drove through Callan, when a boy, about seven years old, flung a stone idly, either at the Sub-Sheriff or at the dragoons, or both. This was the entire outrage. I did not hear of it, until long afterwards, when the Newspaper paragraphs led me to the inquiry; but my servants are ready to vouch the fact upon oath.

"This story, with prodigious exaggeration, has been since officiously circulated throughout the empire, in order to shew, that this country is in such a state of disturbance, that the going Judge of Assize was pelted with stones, or shot at, and in imminent danger of his life. Can any instance more strongly illustrate the propriety, nay, even the necessity, of a full and unreserved statement of the true and actual condition of Ireland, than the extraordinary currency which this paltry fabrication has received, and the avidity with which it has been magnified into a momentous and alarming event!

"Gentlemen,—I may, perhaps, be warranted in feeling a personal indignation at the mischievous abuse of my name, thus attempted, for the purpose of vilifying the country: and possibly, this impression may have partly led me to enter into the copious details and observations with which I have this day troubled you.

"Gentlemen,—if you should feel that any of these observations are founded in truth and reason, you will give me, at least, the credit of upright motives for those from which you may differ. I can have no other motive, indeed, than a hope of doing some public good, by inciting other persons to useful and meritorious actions. Other Judges have very frequently, and with great propriety, charged various Grand Juries upon the general state of this country, its disturbances, and the causes of its commotion—and some of them have ascribed those disturbances and commotions to a general spirit of disaffection and sedition. If I have a very different, and far more consolatory view of the same subject, it cannot be improper or unbecoming my functions, to take the like opportunity of stating my judicial opinions, of enumerating the several causes, which, in my fixed judgment, have generated those disturbances, and have retarded peace and prosperity in this country—and distinctly pointing out the remedies and correctives proper for terminating all those mischiefs, and allaying all discontents. Those considerations will, I trust, vindicate, as well the motives, as the propriety of my conduct in this respect, through every scrutiny, and against every cavil.

"Gentlemen,—You will now retire to your Jury-room—and there dispose of such bills, and other official business, as shall come before you. Let all your private affairs, your settlements with tenants, your canvassing of freeholders, and such occupations, be postponed to another opportunity. Be punctual and diligent—rather, indeed, for your own sakes than for mine. You will be the sooner released from duty—but, as for me, I must, at all events, remain here during the allotted period of time.

"I have addressed you very much at large, with great sincerity of heart—with an earnest desire for your interests, and those of the public—and (many I hope) not wholly without effect?".

PROVINCIAL INTELLIGENCE.

A Coroner's Inquest was a few days since held on the body of a female servant, in the family of the Rev. Mr. B. in the neighbourhood of Billericay, Essex, who expired suddenly in the night, under the following circumstances:—The family it appeared were absent from home, and the deceased was left in care of the house. She had got the daughter of a neighbouring cottager to sleep with her, for company; but on the night on which she died, she had complained, previous to going to bed, of indisposition, and said, as she was so unwell she would sleep by herself, requesting her companion to sleep in an adjoining room. In the course of the night the girl was awakened by the crying of an infant, and called out to her companion, who however said it was only fancy. She at length requested the girl would go down, and get her something warm to take. The girl accordingly went down stairs, and on coming up again found her companion nearly expiring.—A surgeon was sent for, and on his arrival it was found that the unhappy wretch had delivered herself of an infant. She lived but a few minutes

after this discovery was made. On searching the room where she slept, a dead infant was found, concealed in a foul clothes bag, and on examining it, marks of violence were perceptible on its throat. It is supposed that the wretched mother had got out of bed whilst the girl was down stairs, and fearful of the child's discovering itself by its cries, had terminated its existence.—The Jury, after a patient investigation, returned a verdict of *Wilful Murder* as to the child: and with respect to the unnatural parent, *Died by the visitation of God.*

TUESDAY'S LONDON GAZETTE.

BANKRUPTS.

J. May, Totness, wine-merchant. Attornies, Messrs. Lamb, Brutton, and Hawke, Prince's-street, Bank.

R. Brown, Worcester, glover. Attornies, Messrs. Collett, Wimburn and Collett, Chancery-lane.

J. Dolfin, Leamington Priors, confectioner. Attornies, Messrs. Meyrick and Broderip, Red-Lion-square.

J. Bates, Bishops Stortford, draper. Attorney, Mr. Wilde, Warwick-square.

J. Gibson, jun. Cheapside, warehouseman. Attorney, Mr. Williams, Cursitor-street.

I. Bannister, Newington Butts, silversmith. Attorney, Mr. Pope, Modiford-court, Fenchurch-street.

O. Bennett, Norfolk-street, Strand, tailor. Attorney, Mr. Searle, Fetter-lane.

SUPPLEMENT.

A Supplement to this Gazette contains a Dispatch from Lieut.-Gen. Drummond, dated head-quarters, Upper Canada, near Niagara Falls, 27th July, 1814, giving an account of the defeat of the Americans under Gen. Brown, on the 25th of July. It appears that "the enemy's principal efforts were directed against our left and centre. After repeated attacks, the troops on the left were partially forced back, and the enemy gained a momentary possession on the road. This gave him, however, no material advantage, as the troops which had been forced back formed in the rear of the 89th regiment, fronting the road, and securing the flank. It was during this short interval that Major-Gen. Riall, having received a severe wound, was intercepted as he was passing to the rear, by a party of the enemy's cavalry, and made prisoner. In the centre the repeated and determined attacks of the enemy were met by the 89th regiment, the detachments of the Royals and King's, and and the light company 41st regiment, with the most perfect steadiness and intrepid gallantry, and the enemy was constantly repulsed with very heavy loss. Of so determined a manner (continues Gen. Drummond) were these attacks directed against our guns, that our artillerymen were bayonetted by the enemy in the act of loading, and the muzzles of the enemy's guns were advanced within a few yards of ours. The darkness of the night during this extraordinary conflict occasioned several uncommon incidents: our troops having for a moment been pushed back, some of our guns remained for a few minutes in the enemy's hands; they were, however, not only quickly recovered, but the two pieces, a 6-pounder and a 5½ inch howitzer, which the enemy had brought up, were captured by us, together with several tumbrils; and in limbering up our guns at one period, one of the enemy's six-pounders was put, by mistake, upon a limber of ours, and one of our six-pounders limbered on one of his; by which means the pieces were exchanged; and thus, though we captured two of his guns, yet, as he obtained one of ours, we have gained only one gun.—About nine o'clock (the action having commenced at six in the evening) there was a short intermission of firing, during which it appears the enemy was employed in bringing up the whole of his remaining force, and he shortly afterwards renewed his attack with fresh troops, but was every where repulsed with equal gallantry and success. The enemy's efforts to carry the hill were continued until about midnight, when he had suffered so severely from the superior steadiness and discipline of his Majesty's troops, that he gave up the contest, and retreated with great precipitation to his camp beyond the Chippawa. On the following day he abandoned his camp, threw the greatest part of his baggage, camp equipage, and provisions, into the Rapids; and having set fire to Street's Mills and destroyed the bridge at Chippawa, continued his retreat in great disorder towards Fort Erie. My light troops, cavalry, and Indians, are detached in pursuit, and to harass his retreat, which I doubt not he will continue until he reaches his own shore.—The loss sustained by the enemy in this severe action cannot be estimated at less than fifteen hundred men, including several hundreds of prisoners left in our hands: his two commanding Generals, Brown and Scott, are said to be wounded,—his whole force, which has never been rated at less than five thousand, having been engaged. Enclosed I have the honour to transmit a return of our loss, which has been very considerable. The number of troops under my command did not, for the first three hours, exceed sixteen hundred men; the addition of the troops under Col. Scott did not increase it to more than two thousand eight hundred of every description."

The General then proceeds to bestow praises on various Officers, for their exemplary conduct during this arduous struggle; and concludes with a Return of the

Killed, Wounded, &c.

General Total—1 captain, 3 subalterns, 1 deputy-assistant-adjutant general, 4 serjeants, 75 rank and file, killed; 1 lieutenant-general, 1 major-general, 1 inspecting field-officer, 1 deputy-assistant-quarter-master-general, 2 lieutenant-colonels, 8 captains, 25 subalterns, 31 serjeants, 5 drummers, 482 rank and file, wounded; 1 captain, 3 subalterns, 2 quarter-masters, 11 serjeants, 5 drummers, 171 rank and file, missing; 1 aid-de-camp, 4 captains, 4 subalterns, 1 quarter-master, 4 serjeants, 28 rank and file, prisoners; 14 horses killed, 14 horses wounded, 12 horses missing.

Total killed.....84
Total wounded 559
Total missing 193
Total prisoners..... 42
Total..... ——878

The *Officers killed* were, Capt. Spanner, Lieuts. Moorsom, Hemphill, Letham, and Ensign Campbell.—Among the *Officers severely wounded* were, Lieut.-Gen. Drummond, Major-Gen. Riall (taken prisoner) Lieut.-Col. Morrison, Lieut.-Col. Robinson, Majors Hath and Simons, and Capts. Rockman, Maclachlan, Fraser, and Macdonald; and many others.—Capts. Loring, Brown, Maclean, Merritt, and Gore, were among the *Officers made prisoners.*

SATURDAY'S LONDON GAZETTE.

This Gazette contains a Proclamation proroguing Parliament to the 9th of November.

BANKRUPTS.

J. Warren, Fore-street, Limehouse, cooper. Attornies, Messrs. Bennetts and Greaves, King's Arms-yard, Coleman-street.

W. Tucker, jun. South Crescent, Bedford-square, merchant. Attornies, Messrs. Hall and Wigley, Cannon-street.

C. Kisling, Wigmore-street, Cavendish-square, upholsterer. Attorney, Mr. Dalton, Union-street, Bishopsgate-street.

W. Wilson, Blackfriars'-road, glass-cutter. Attorney, Mr. Dugleby, Old City Chambers.

J. Stanley, Coleman-street, merchant. Attornies, Messrs. Holt and Farren, Threadneedle-street.

J. Linsey, Paul-street, Finsbury-square, upholsterer. Attorney, Mr. Birkett, Cloak lane.

J. Bond, Marton, Yorkshire, innkeeper. Attorney, Mr. Leeming, Settle.

T. Rogers, Basingstoke, Southampton, saddler. Attorney, Mr. Todd, Winchester.

G. and S. Cowley, Bristol, stationers. Attorney, Mr. Frankis, Bristol.

G. Wright, Birmingham, grocer. Attornies, Messrs. Stubbs, Medes, and Wills, Birmingham.

Some Correspondents, who have sent us Communications of no inconsiderable length, will be good enough to excuse us till next week.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Cons. 63 1/8 63 1/4 62 3/8 | Omnium..... 5 1/2 6 dis.

THE EXAMINER.

London, September 25.

The Editor must apologize to his readers for a shorter article than usual on the news of the week, though there is luckily none of such a nature as may not allow of comment another time. He has been rather more unwell than usual for some little time past, and though better at present, has occasionally found that too eager a wish to make up his weekly contributions has thrown him back from amendment. It is not always pleasant, in some kinds of illness, to write at all, particularly upon subjects not very harmonious with one's wishes; and as he has already suffered himself to run out at some length upon the first article, he may the more readily claim indulgence for the brevity of this.—However, what he has to say he had better say on; or some hale, fresh-coloured reader will be exclaiming, 'Why does he take up then what little he means to give us with explanations?'—O the native insolence of good health!—But to proceed.

The affairs of Poland continue to look promising, and nobody has a doubt on the Continent that the kingdom will be restored. It is not a little curious, however, and does not look very consistent with the regenerating spirit evinced towards that kingdom, to hear of the partitioning designs which are still talked of with regard to Saxony. But perhaps the paragraphs on this head are only so many squibs thrown out by dependent and rival journals to create mischief. The worst symptoms for Saxony are the evident intrigues carried on by its own leading men, under the notion that the throne may really be declared vacant; but the King, it is said, has expressed his determination not to resign it, and there are even reports that he has been invited to attend at the Congress. It is scarcely necessary to repeat, that all the reports upon these matters are little to be relied on. What the King of Prussia may do, is not to be conjectured without knowing more of his character. If he is worthy to be the friend of Alexander, Saxony may expect justice at his hands; if otherwise, he will help other foolish Princes to recommence the work of dissatisfaction and danger, and at no remote period perhaps to ruin royalty altogether. There is an interesting circumstance in the foreign papers relative to the return home of the Polish troops from France. The remains of that gallant body entered Posen on the 26th of last month in the midst of acclamations, and garlands, and gazing Ladies; and the General in Chief, Krasinski, on being complimented by the Prefect, made a speech, which is so characteristic of the unyielding patriotism, candour, and ready gratefulness of his nation, that we cannot supply our own want of matter with a more proper or agreeable addition than by copying it here.

"The happiness of revisiting the soil of our fathers is the dearer to us, because the Poles, from time immemorial, have fought *for the love of their country or for gratitude*. Free from reproach in the eyes of Europe, and worthy of being your fellow-citizens, we have done every thing for our dear country, and *we return with hope*. *The Polish soldier has never ceased to be a citizen*: he forgets easily all his sacrifices and all his troubles, if he has the esteem of his nation for his recompense. The eagles which wave over our heads, and the arms which glitter in our hands, are proofs of the confidence of a young Monarch, and of the high protection which he has granted us; *the whole world does him justice*: but it belongs to posterity to recompense him by placing him in the rank of those heroes whom the admiration of their own age transmits to posterity. Faithful to our duty, we did not abandon a tottering throne, *until he who raised it abandoned it himself*: it was with his permission that we addressed ourselves to the Emperor, whose magnanimous soul instantly promised us benevolence and protection. I find myself happy in having it in my power, in the name of these valiant remains of the Polish armies, to salute our fellow citizens, and testify to them our gratitude. And you, Matrons, receive your children; they have been always worthy of you, and have not hesitated to expend that noble blood which you transmitted to them, whenever glory and honour were in question."

We shall indulge ourselves in leaving off here *con la bocca dolce*, and refer our readers at present to the paragraphs respecting M. Dessolles's Report to the French Chamber of Deputies respecting the island of St. Domingo, and the insolent and brutal Proclamation of one Villavicencio at Cadiz in behalf of the paternal cruelties of the "best of Kings." The reader will have one gratification in reading this document, and that is, a clear conviction that the present condition of Spain cannot possibly last long.

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With a feeling of deep regret at the horrid warfare now waging between a kindred people, a people kindred in their language, in their mental and physical energies, their love of civil liberty and national independence; in fine, our brethren under a different climate, we give the following deplorable intelligence as brought by the *Jenny*, from Bristol, Rhode Island. It is contained in the *Rhode Island Telegraph* of the 27th:—

"Gen. Gaines joined the American army under General Brown, on the 7th of August, at Fort Erie. On the 15th the fort was attacked by Colonel Drummond, and a desperate action took place, which terminated in the defeat of the Colonel, who lost 600 in killed, wounded, and prisoners. He was himself among the killed.—Advices from Washington, of the 24th, give an account of Commodore Porter having arrived with his squadron of seamen for the manning of the new frigate. We are in daily expectation of an attack from the British. Commodore Chauncey was off Kingston with his squadron. Sir A. Cochrane, with 46 sail of ships of war, transports, &c, is far on the Chesapeake, and has landed 4,000 men."

ANOTHER ACCOUNT.

"The attack was made on Fort Erie on the 15th August, which failed of success, and the British were compelled to retire, with the loss of 600 men, killed, wounded, and prisoners. Col. Drummond, a relation of the General's, is among the killed. Commodore Chauncey was left blockading the British squadron on the Lake. Admiral COCHRANE is in the Chesapeake with 46 sail, consisting of men of war, transports, &c, and has effected a landing with 4,000 men, with no intention of going against Washington. The American Government has collected a force of 7,000 men to meet them."

A French General, DESPOURNEAUX, has made a Report to the Chamber of Deputies, respecting St. Domingo; and, notwithstanding the terrible experience of former attempts, he says without the smallest hesitation, "that the ultimate success of an Expedition to that island cannot be doubtful."—The *Times*, in noticing this Report, observes, "the proposed Expedition to St. Domingo is madness and ruin to France; because the plan is bottomed in a renewal and an extension of the odious, cruel, inhuman, and impious trade in men. M. DESPOURNEAUX talks of the probability that CHRISTOPHE may be bought over. Perhaps he is ignorant, that this person has for years past been invested with all the splendours of royalty; that he has no less than six palaces; a brilliant Court; a numerous Nobility; a large and disciplined army, with all the gradations of military rank; a code of civil institutions embracing all the arts and sciences, the principles of law, and the moral habits which are cultivated in Europe; and that the basis of his power rests on a population who have universally sworn to live free or die. It is possible that such a man may descend in some measure from his present exaltation, and may yield to many of the pretensions of the French Government; but he certainly will not do so, as long as a doubt can remain on their sincerity. M. DESPOURNEAUX admits, that the Negro and Mulatto Chiefs possess a good portion of sound sense. He is certainly right in this observation; and one proof of it is, that they declared they would listen to no terms from France, until she accedes to the abolition of the Slave Trade."—M. DESPOURNEAUX must be entirely ignorant of the state of things in St. Domingo, and in his sanguine statements respecting the conquest of that island, will certainly turn out to be most egregiously mistaken, if, as is confidently stated by the Papers, a Dispatch from CHRISTOPHE's Secretary of State be true, avowing the determination to maintain the independence of Hayti; as also another document, stating the resolute determination of PETION to oppose the expected invasion by France.

It appears from one of the minor French papers, that when General DESPOURNEAUX read that part of his Report which recommends the sending out an armament against the Negroes in St. Domingo, a burst of honest indignation marked the feelings of the humane and liberal part of the assembly. The Court Censors of the press, not content with suppressing this fact in the leading papers, have since commanded the insertion of a most incredible and ridiculous explanation of it, ascribing the sensation to an opinion that the General *was improperly interfering, in that passage of his Report, with the prerogative of the Crown.* Is this the constitutional regulation of the press in France! and is it thus that Louis XVIII. is to transfer from himself to the French people the reproach of the new horrors that are preparing for St. Domingo?—*Chronicle.*

A variety of accounts from different parts of the United States prove that great alarm exists in consequence of the attacks made and menaced by the British force. Washington was considered untenable, and there was a report of removing the seat of Government to Carlisle. In this situation of affairs an Extra Session of Congress has been summoned by the PRESIDENT, to assemble on the 19th of this month.

Eight of the principal delinquents, of 15 found guilty of *high treason* in Upper Canada, were executed at Burlington on the 20th July; the other seven were reprieved.

The Wasp does not appear to have been sunk. A vessel is arrived in the Downs with three Masters of captured ships, which the Wasp had put on board her. One of the Masters says he was on board the Wasp when she had an engagement with a British sloop of war, which she left in a sinking state, being obliged to sheer off herself on account of another British ship heaving in sight. She said that she had only two killed and three wounded.

The Board of Commissioners for the Affairs of India had approved the Resolutions of the General Courts granting a pension of 800*l.* to Mr. RICHARD OWEN; a salary to Mr. M'CULLOCH of 1,200*l.*; an annuity to the Right Honourable WARREN HASTINGS of 4,000*l.* for life; ditto of 500*l.* to Sir JOHN KENNAWAY; ditto of 5,000*l.* to Marquis WELLESLEY for life: a grant of 50,000 rupees to Sir JOHN MALCOLM; ditto of 20,000*l.* to the executors of the late Lord MELVILLE.

About the time of finishing the investigation of the 10th dragoons, Sir JOHN MURRAY, we understand, will be brought to trial. Sir J. MURRAY, it is said, is now in Paris. He has not been seen or heard of by the public for a long time.

LOW ARTS.—BURNS the poet, in a letter to his bookseller, dated Feb. 1790, tells him that he has seen proposals for publishing "Banks's new and complete Family Bible," printed for C. COOKE, Paternoster-row. "He promises (says the bard) at least to give in the work, I think it is, three hundred and odd engravings, to which he has put the names of the first Artists in London. You will know the character of the performance, as some numbers of it are published; and if it is really what it pretends to be, set me down as a subscriber."—Upon this passage, the Editor of the "Relicks of Burns" (the late Mr. CROMECK) has the following note:—"Perhaps no set of men more effectually avail themselves of the easy credulity of the public than a certain description of Paternoster-row booksellers. Three hundred and odd engravings! and by the first artists in London too! No wonder that BURNS was dazzled by the splendour of the promise.—It is no unusual thing for this class of impostors to *illustrate* the *Holy Scriptures* by plates originally engraved for the *History* of England? and I have actually seen subjects designed by our celebrated artist STOTHARD, from *Clarissa Harlowe* and the *Novelist's Magazine*, converted with incredible dexterity, by these bookselling Breslaws, into *Scriptural embellishments!* One of these venders of "Family Bibles" lately called on me, to consult me professionally about a folio engraving he brought with him. It represented *Mons. Buffon* seated, contemplating various groups of animals that surrounded him. He merely wished, he said, to be informed, whether, by *unclothing* the Naturalist, and giving him a rather more *resolute* look, the plate could not, at a trifling expense, be made to pass for *Daniel in the Lion's Den!*

Mrs. JOANNA SOUTHCOTE is advertising for a large house, in which the promised SHILO is to be born, surrounded by the Doctors, medical and ecclesiastical, who may chuse to attend, as well as a number of the faithful. The *Chronicle* of Thursday contained the advertisement.

TOBACCO.—A Correspondent says, "The late unprecedented advance in the price of tobacco has occasioned a variety of experiments to be made with a view to discover a substitute, and it is now fully ascertained that the very *common* herb *yarrow* does as well for smoaking as the *best Virginia*."

COURT AND FASHIONABLES.

HER MAJESTY AND ALMS-GIVING.

It has surprized some few of her MAJESTY's loyal subjects, that her name has not appeared in the list of Subscribers to the Suffering Germans. The QUEEN has doubtless her motives for thus withholding her aid from her unhappy country; and we have heard the following mentioned, as some of the reasons which induce her MAJESTY to look upon alms-giving in general with no very friendly eye:—

That Charity begins at home, and ought indeed to end there, particularly when there are squanderers in the family, who are much in debt and likely to continue so:

That the Poor should apply to their parishes; and that those who are too proud to make the application, ought not to be encouraged; for pride is a vice, particularly in the indigent:

That the Poor do not suffer so much as some people imagine, being used to privations; and that this peculiarly applies to the Germans, at least those with whom her MAJESTY had ever any thing to do, who have been used from their infancy to the extreme of poverty:

That people are very much imposed upon by the tales of the Poor:

That *giving money* is not mentioned in ST. PAUL's celebrated description of Charity—See *First Epistle to the Corinthians*, chap. 13;—who would hardly have omitted it, had it been necessary, or even becoming:

And finally, as to hoarding, that there is much vulgar prejudice on this point, for the same great Apostle thus directly orders—"Upon the first day of the week, let every one of you *lay by in store*, as GOD has prospered him:"—an injunction which her MAJESTY has most sacredly kept from time immemorial.

What will the scoffers say now?

The Dowager Princess of SALMS (now Duchess of CUMBERLAND) is the sister of the late Queen of Prussia, and the niece of our beloved QUEEN of England.

Some of the foreign journals talk of several marriages being about to take place amongst the Royal Families of Europe. The Archduke CHARLES, it is said, is to receive the hand of the Grand Duchess of OLDENBURGH.

Sir JOHN LADE was lately discharged from the King's Bench prison, under the Insolvent Act. The PRINCE REGENT, it is said, has settled upon Sir JOHN and Lady LADE, for their joint lives, an annuity of 500*l*.

LADY HAMILTON.

The following Letter appears in the *Morning Herald*:—

"*Village of St. Petrie, near Calais, Sept.* 10, 1814.

"MR. EDITOR,—I was surprised to observe that the —— had published that I had fled from my bail. This is false, as I had Lord Ellenborough's discharge. Mr. Alderman Smith, who became my bail, never lost a shilling by me. I have left in England what I possessed to pay my creditors, retaining only just sufficient for Horatio and myself to subsist upon at a farm-house. My innocence, I trust, will support me under all the calumnies that have been raised against me. I have taken my oath, and confirmed it at the altar, that I know nothing of those infamous publications that were imputed to me. Many letters were stolen from me by that scoundrel ********, whose family I had, in charity, so long supported. I never once saw, or knew of them. That base man is capable of forging any hand-writing, and I am told that he has obtained money from the ——— by his impositions.—Sir William Hamilton, Lord Nelson, and myself, were too much attached to his ———, ever to speak, or think ill of him. If I had the means, I would prosecute the wretches who have thus tradaced me.—I entreat you to contradict the falsehood concerning my bail, and also the other malicious reports I have alluded to in this letter, which will much oblige the much injured

"EMMA HAMILTON."

PARLIAMENTARY CRITICISM.

Dica pur quanto sà rancor severo:
Contro le sue saette ho doppio usbergo;
Non conosco interesse e son sincero.
Non ha l'invidia nel mio petto albergo;
Solo zelo lo stil m'adatta in mano;
E per util comune i fogli vergo.

S. Sal. SALVAT. ROS.

THE EARL OF LIVERPOOL.

A PERSON, who has been accustomed to the style of debating in the House of Commons, feels considerable surprise when he first hears the discussions among the Lords. The unaffected manner, the natural tone of enunciation, which, with very few exceptions, characterize the principal Speakers in the Lower Chamber, will in vain be sought in the Upper Assembly. A sombre gravity of look, a pompous stiffness of gesture, and a delivery partaking at once of the drawl of the conventicle and the *mouthing* of the theatre, are the marks by which the Noble Orators chooss to be distinguished. "In the name of English good-sense," exclaims the visitor, "what can this mean? Is it possible that the English Nobility, a race to whom the whole civilized world looks with respect, can think it necessary to excite veneration by those petty artifices with which a country schoolmaster awes his pupils into submission? Can a Nobleman think that he would be less regarded if he adopted the ordinary accents of a sensible gentleman? or can any Englishman forget his nation's character so far as to substitute pomp for simplicity? I look about me and see Peers highly gifted with talents, and educated in the best taste; men of enlarged views and sound principles; men, whose private lives are not disfigured by a single affectation: and yet these respectable persons, when they congregate for national purposes, are afraid of sinking in public estimation unless they drop that tone and manner which grace and dignify their daily conversation. How is this? Can it arise from the presence of that throne? No: that throne has generally been filled with men of plain sense and unaffected manners. That venerable antique tapestry perhaps has an unconscious influence? No: it may awaken ideas of English greatness and of English steadiness: but that greatness was simple and that steadiness was without affectation. No: the thing is quite unaccountable, and I will puzzle myself no more about it." Something like this is perhaps felt by every person on his first visit to the House of Lords: and

without pursuing the subject further than it deserves, it may at least be said that the manner here objected to is a decisive proof of bad taste in that Assembly.

Another thing which appears extraordinary to a stranger is the thin attendance of Peers even on a night of important debate. He has heard a good deal about parties mustering their strength against each other, and is astonished to see them take the field with such scanty forces. He is told of the privilege of voting by proxies. "Strange prerogative," he exclaims, "which seems to imply either that Noblemen, like the judge of hell, should decide a question before they hear it, or that they are so inapprehensive that discussion would bot bewilder their understandings. It is a privilege which confers no dignity because it cannot be exercised without a tacit confession that the voter is either prejudiced or partial: nay, in some cases, this right cannot be exerfed without dishonesty, as where a Peer deputes asother to censure some project which by explanation may turn out to be perfectly meritorious. It is a right not likely to be claimed except by the idle and those who least deserve indulgence: and I can see no reason why a young fashionable Lord might not now and then lounge on those crimson benches quite as profitably and as pleasantly as in one of those close dens called opera-boxes. After all there is a kind of impudent sincerity about the custom: it proclaims the true nature of party divisions, and shews that reasonable investigation has nothing to do with the judgment given in such cases."

There is but one other peculiarity worthy of notice, and it is a mere trifle. It is thought inconsistent with the dignity of Peers that their auditors should sit in their presence. It is not very apparent how the inconvenience of one class of persons can administer to the respectability of another: but the matter is not important enough for inquiry. An Englishman very readily complies with a form which the Aristocracy think essential to their rank: perhaps when he is fatigued with a long debate, he may peevishly wish that Noblemen stood less on punctilio, or that the less eloquent speakers would consider that a long speech without point or spirit is very apt to tire.

In a review of the leading men of this Assembly, Lord Liverpool would be entitled to an early notice, not merely because he is the first Minister of the Crown, but because he is one of the best debaters among the Lords. His talents are not of that brilliant kind, which makes a strong impression on the first hearing; but they excite more respect as they are more examined. He does not seem to possess any faculty in a degree above mediocrity; but he has a combination of faculties which is by no means the lot of ordinary men. He has a clear understanding, a ready apprehension, considerable information, no contemptible share of learning, some energy, and a tolerably fluent diction. He has that skill in argument, which passes over all the strong parts of the adversary's reasoning, and makes a formidable assault on the weak. He can give force to a very common observation by the help of round periods and a solemn utterance, and can assume with great success a tone of astonishment at the extraordinary violation of constitutional principles contained in the speeches of his Noble Opponents. With all this, he preserves his temper, and never deviates into the haughty and overbearing. This estimable moderation of manner has gained for him with many, the reputation of a candid disputant, but I think the praise is misapplied. Lord Sidmouth is candid: Lord Bathurst, with all his official pedantry, is also candid: but Lord Liverpool always appeared to me to be close and reserved; nor does he ever make any concession, or shew any symptom of being convinced by any arguments but his own. Nothing however can more thoroughly manifest the advantages of temper, than the circumstance of its attaching even undue credit to a pertinacious debater, who makes no way by insinuation or the graces. I do not mean that Lord Liverpool is deficient in courtesy: on the contrary, it is impossible to see him often without being impressed with the idea that he is a very amiable and gentlemanly person: still he has none of the graceful demeanour of a man of the world, nor does he use any of those attractive, though well understood arts, which subdue even the stubborn and the wise. Lord Liverpool has somewhat of the stiff air of a recluse: his deportment and dress shew almost the carelessness of a student: there is also an expression of obstinate firmness in his countenance, which would be repulsive except for the good-natured tones of his voice. If a man were going about to make converts, Lord Liverpool would, on account of his physiognomy, be the last object whom he would attempt to frame into a proselyte: it seems impossible that the possessor of such a countenance should ever change his opinions. The two most pleasing traits in his character are his modesty and his apparent sincerity. With the most devoted confidence in the strength of his favourite system are mixed a personal diffidence and want of pretension, which always struck me as the surest pledge, as they are the most prominent symptom of the honesty of his intentions. He is wedded to a plan of operation which he learned of one whom he considered as nearly an oracle, and which he thinks could not fail to work its way by its own intrinsic energy. The merits of that system and of its author, it is not the business of this article to examine, but the writer will not hesitate to observe as he passes, that he is ready to pay due homage to the many great and eminent qualities which distinguished Mr. Pitt, though he cannot but regret that they scarcely ever produced a fortunate result for his country. It is no shame to Lord Liverpool that he boasts himself to be an ardent disciple of such a master, because the brilliant talents and lofty integrity of that statesman could not but command the admiration of his followers: it is not only not disgraceful but highly honourable to Lord Liverpool to hear him refer, as he constantly does, the late unlooked-for successes to the counsels of a man who could scarcely in his most sanguine moments have anticipated half of them. It is grateful to ascribe these effects to the first cause, however remote, and not to the collateral and contemporary agents: nor can we reasonably expect that Lord Liverpool should, either for his own sake or the sake of his old master, be very scrupulously exact in estimating how much of the late events was due to a frightful winter, how much to a prosperous skill grown on a sudden desperately incautious, how much to unhoped defections, how much to a revolting population. Those violent partisans, who judge of actions by men, may choose to think that Lord Liverpool can do nothing right because he is a staunch admirer of Mr. Pitt: the wiser few, who judge of men by their actions, will, on the contrary, acknowledge that he has sometimes successfully taken opportunity by the forelock, and that if he has been an implicit, he has not been a blind or undiscriminating executor of the will of his admired precursor.

CRITICUS.

GENERAL VIEW of the ARGUMENTS in FAVOUR of an AMELIORATION of the PENAL LAWS.

First, if an appeal to authority can be considered as conclusive, it might be shewn that some of the most wise, pious, upright, humane, and learned writers, have been on the side of an amelioration of the Penal Laws, or have wished to introduce a more equitable proportion between crimes and punishments. After the names of Sir Thomas More, of Erasmus, Lord Bacon, Sir Edward Coke, Sir Matthew Hale, Montesquieu, Howard, Dr. Johnson, Sir W. Blackstone, Boerhaave, Lord Auckland, Dr. Franklin, and, we may even add, Dr. Paley, have been quoted, any attempts to reduce the scale of punishment, and soften the rugged brow of justice, cannot well be stigmatised as an emanation from the wild spirit of modern innovation, and the principles of the French Revolution. Or at least, this can only be done on one supposition, namely, by confounding the principles of the French Revolution and the general desire of improvement and progressive civilization together,—an interpretation, of which those who are most forward to bring the charge will hardly admit.

There are two questions which may arise on this subject, and which are very distinct from each other; 1st, Whether the law should inflict the punishment of death on any but the highest offences: 2d, Whether the law should enact this punishment on any offences without inflicting it.

The first of these, whether the law should inflict capital punishment to the extent to which it pretends to do it, is in fact given up. The law, as founded on a principle of general and extreme rigour, is no longer executed. The spirit of that law is therefore condemned in practice. Those who are concerned in, or who approve of the present administration of the law, cannot consistently defend its spirit and maxims. Either the theory is right and the practice wrong, or the practice is right and the theory wrong. The advocates for practical in opposition to theoretical reasoning are thus reduced to a curious dilemma; for it is notorious, in point of fact, that the practice of our Courts of Justice is (in the instances referred to) at complete variance with the laws which they profess to administer. Now this obstinate adherence to the phantom of a law, which is obsolete in fact, is not indeed a speculative theory, but that greatest of all solecisms, a speculative prejudice, which, while it boasts of an implicit deference to the practical wisdom and established usages of our ancestors, openly departs from them in every thing but the name. Those, therefore, who raise this outcry against theory, are in truth the advocates for a visionary theory of law in opposition to practice; and those who propose an alteration in our laws, do not wish to force the practice into a conformity with some vague and undefinable theory, but to assimilate the theory to the known practice.

It will not be improper, however, to collect into one point of view the different objections which apply to the disproportionate severity of our laws, and which have in reality operated to relax their execution, even where the formal penalty remains.

1. Whatever arguments may be urged to shew the necessity and justice of severe punishments, as intended to repress great crimes, will at the same time prove the propriety of reserving the highest punishments for the worst crimes. Thus for the same reasons that murder may deserve the punishment of death, simple theft *cannot* deserve it; for all the aggravations of the crime, which justified the punishment in the former case, are wanting in the latter: and the same punishment cannot be just, where the same reasons do not exist, if those reasons are the true ones. To assign the reasons of punishment, is to define its limits. If the punishment of death, for example, is properly inflicted on murder, because it is seconded by the general sentiment of the community, and because it tends to strengthen the general horror of the crime, it must be improper to inflict it in the case of an inconsiderable theft, where it is seconded by no such sentiment, and where it neither can nor ought to excite the same indignation against the crime.

2. Where the public sentiment does not co operate with the law, it operates against it. For the law acts chiefly as the organ of opinion,—as a conductor to point the general indignation against any crime: without this, it is an engine that recoils upon itself. For otherwise it is considered as an instrument of power, of mere arbitrary will, and produces a sense of oppression and a spirit of resistance to it. The increase of the severity beyond the limit prescribed by the natural sense of justice, though it may add to the terror of the law, proportionably strengthens the repugnance to it, and arms the mind with triple fortitude to meet its resentment. Thus every degree of unjustifiable or unpopular severity counteracts its own purpose, and becomes ineffectual. The violator of the law appeals from its harsh decrees to the more just and humane feelings of the community, and considers himself as a victim to the barbarous despotism of the legislator.

3. The execution of the sentence produces the same revolting sentiments in the spectators and the public at large, and weakens still more and more that steady respect for the laws, which is one of the best securities of civil society.

4. Or where it does not produce this effect, indiscriminate severity has a tendency to take away the obvious distinction between crimes, and leads men to suppose that where the punishments are equal, the crimes are so too. The consequence of thus hardening the public mind, is that the natural enormity of the crime ceases to deter men from the commission of it, and that the delinquent, in his choice of guilt, only regards that degree or mode of it which will be most to his own advantage, or be least liable to detection. Wherever the perpetration of a greater crime increases the chance of concealment, and holds out impunity to the less, the temptation to commit it will immediately operate in all its force. Hence in those countries, where murder and robbery are always punished alike, robbery is almost always accompanied with murder.

5. By confounding the distinction between the degrees of guilt, we blunt the efficacy of the example, even where the punishment is merited, and in conformity with the natural sentiments of mankind. For the number of examples of the same punishment, where it is unmerited, creates a general prejudice against it, and a suspicion that the sentence of the law is not inflicted from a sense of justice, or from motives of public good, but is dictated by caprice, cruelty, and a love of power. The example of severe or capital punishment must have the greatest effect where it is most rarely inflicted, and inflicted with the most scrupulous regard to justice and humanity. Severe laws should therefore be reserved as the last resource of authority against the most dangerous crimes, since their multiplication is of no use against inferior offences, and lessens their efficacy against the worst.

6. As far as depends on public sympathy, it is evident that different degrees of severity will be effectual and justifiable at different periods of time, and in different countries. But whenever a punishment is no longer inflicted, this shews that it has become repugnant to the public feeling, and that it *ought not* to be inflicted. Indeed, whatever may be the desire to execute such laws, they will of themselves become obsolete and powerless; and by standing in the way of other more moderate and effectual punishments, obstruct the natural course of justice.

This brings us to the second question,—whether the law should enact the punishment of death for any offence on which it is not generally executed?

[*To be continued.*]

BANKRUPT SYSTEM.

TO THE RIGHT HON. LORD ELDON, LORD HIGH CHANCELLOR, &c. &c. &c.

My Lord.—I have stated my reasons for addressing your Lordship in the public prints, in my Letter of the 10th of August. It is a striking feature in my case, that my adversaries, those adverse to my interfering in the affairs of my Bankruptcy, should have constantly endeavoured to keep me in ignorance, and shewn displeasure at the information I have repeatedly given them, though the Estate has thereby actually been benefited to a large amount; but there *is still* a great property to be accounted for. Surely, my Lord, the law will not be permitted to operate *against* the interest of the Creditors, and be suspended when in their *favour*, because *I am* the person who stands forward to claim their rights! But, independently of my individual interest in the matter, above half the Creditors in number (and, if the proofs were duly examined, probably in amount also) have given warrants of attorney, empowering me to investigate the accounts, and to act on their behalf: and I take upon me to say, that if your Lordship will be pleased to order that *I shall do so*, I will, in *nine days*, instead of *nine years* that the matter has been before the Commissioners, produce (without prejudice to the question of Bankruptcy) such a clear and distinct account of the affairs of the Estate, as shall be perfectly satisfactory and convincing to your Lordship, on any authority your Lordship may be pleased to appoint to inspect it, and such as, I am certain, every Creditor of the Estate, not implicated in the impositions which have been practised, will approve of; for, my Lord, I am warranted, by the legal opinions I have taken, in saying, it will thereby appear there is a sufficiency to pay every just debt, proved upon the Estate, *in full;* and no doubt in a few months the matter might be wound up with justice to all concerned.

Your Lordship must have sometimes heard of *adverse* and *friendly* Commissions, distinctions, both of which seem to imply a question of the *justness* of the Commission! That this Commission should have been so long in hand, with my being ready and desirous at all times to assist the Assignees for the benefit of the Creditors, cannot, I think, leave a doubt to which of the above description it belongs! I presume to submit this to your Lordship's notice.

I have just found among my papers the opinion of Mr. Cooke, dated 26th October, 1808, advising me to pray your Lordship to grant me the power here requested, and which prayer I consider to have been comprehended in the several applications I have subsequently made to your Lordship.

I have in my possession, besides, several other opinions of Counsel taken by the Assignees and myself, all of which, with the declaration of the Master of the Rolls, are against the conduct adopted by the Commissioners and Assignees. And your Lordship is reported to have said in Court, the 11th of last month, *ex parte* Shirley in the matter of Braham:—*If a Bankrupt knowingly and wilfully permitted a fictitious debt to be proved under his Commission, he should never have his Certificate; because it was a false and unfair disclosure of his affairs.* In the matter of Dunman, the same day, your Lordship's observations upon the state of the Bankrupt's property were strongly in point with my case, and your Lordship ordered an inquiry before the Master, *as the Bankrupt preferred that!* The case *ex parte* Stocks *v.* Evans, argued the 10th August, has also a strong bearing on my case.

I cannot lay down my pen without expressing my grief at the cruel alternative I am reduced to, of addressing your Lordship in this manner, which is rendered more painful, lest any construction may be given it as wanting in proper respect to your Lordship's high office, which I most solemnly disavow: but I have no other means, and my duty is imperious, for in my present situation it is *impossible for me to do right!* First, because if I sit by and see my Creditors deprived of their property, I am a party therein, and seal my own disgrace and infamy, *as your Lordship observed in the matter of Braham.* In the next place, I am obliged to trespass and use means, with a view to prevent those unjust measures, that cannot be justified on any other principle than the necessity of the case, which is no argument with persons not interested in the matter.

From this dreadful dilemma, your Lordship's commands, to the effect of Mr. Cooke's opinion, would at once relieve me; and I trust in God your Lordship will be pleased to acquiesce therein, and give directions accordingly.—I remain, my Lord, your Lordship's dutiful and devoted servant,

8, *Chalton-street,* EDMUND TOWNSEND.
Somers-town, Sept. 22, 1814.

ARE THE ENGLISH A MUSICAL PEOPLE?

Mr. Examiner,—The task of "laying" me, which has been so valiantly undertaken by your Correspondent, *Mr. Mark Minim*, will not be quite so easy as he may imagine. He must make use of far better argument, and much more candour, than appear in his letter to you of the 1st instant, ere my troubled spirit be appeased.

The inaccuracy in point of style which he has so ingeniously detected is no other, Mr. Examiner, than an error of your compositor, who forgetting the wide difference between the words *state* and *taste*, though both compounded of the same letters, has preferred the former to the latter, and given this exquisite critic, actually misquoting the sentence *before* he begins his criticism, an opportunity of wreaking his mighty vengeance upon "thin air." The words which I believe I used in my letter to you were, "the present musical taste (not "state") of this country is in a most depraved and vitiated state;" so that my opponent's sarcasm on this remarkably elegant sentence will now go for nothing. Let me however advise him to be more circumspect in his quotations, otherwise *he* may have the ill luck to be accounted "*no conjuror*,"—a position wherein I think it not at all improbable he may stand, before I have done with him.

The diffusion of an Art proves, at least I think so, the estimation in which it is held, or, in other words, the love of it; for were it not generally liked, I see no probability of its diffusion. I moreover do think, that the *accessories* of a musical education, every where to be seen, are an undoubted sign that the people would be musical if they could,—not "*could*," because I account them unequal to the task, but because Music Masters in general,—not Musicians, mind you,—are so much more anxious to give their pupils a rapid finger than to ground them thoroughly in the principles of harmony, and let the rest follow, which it soon would sufficiently do: or to borrow a simile from another Art, teach them to draw the figure correctly before they are suffered to study colouring and chiaro-scuro. But notwithstanding this practice is too much in fashion, it is happily not universal; for in some of my "*haunts*," I have met with "Misses" who have performed in a manner that would be creditable even to Professors, and sometimes, be not marvelled, good Sir, I have heard them play at sight from a score of six or eight *real* parts. I rejoice to say, that wherever this has been the case, an Englishman has been the instructor. Does *Mr. Minim* know, or has he ever heard, any of the pupils of the late Jonathan Battishill? (not to mention living masters)—many of them are in being, and can experimentally verify my assertion.

But, Mr. Examiner, may not any one be naturally attached to a particular art or science, and yet, for want of proper in-

struction, never obtain a refined knowledge of it. Comes not refinement in all the arts from natural genius, aided by proper cultivation and instruction? Allowing a man possessed of natural relish for music, whether he prefers a country dance to a movement of Haydn, arises entirely from his ear being more or less cultivated. This cultivation, on which excellence depends, will always receive a considerable bias from the Professors whose business it is to see that none but good music be taught.

After twisting and misquoting my language and arguments to suit his purpose, which even after the torture he inflicts on them they scarcely do,—after telling of the "tempest of sonnets and epigrams," which seem to have annoyed him in Italy previous to the Revolution, *Mr. Minim* triumphantly sums up his sentence with the following period:—"But no one (except our ghostly adversary) would conclude, from that circumstance, that the Italians then *so well* deserved the character of a poetical people, as they did in the age of Dante and Petrarca, Ariosto and Tasso:"—"*so well* deserved,"—pleasant enough. I shall haunt you, *Mr. Mark Minim*, unless you infuse a little more candour into your epistolary correspondence, and answer my arguments a little more satisfactorily, until you are laid in the silent sod, and the wind (to express *myself* in a fine and Ossian-like manner) shall whistle through the grass of your cave.

I am sorry to be obliged to say any thing in derogation of Mr. Braham's character as a singer; let therefore the blame fall on my opponent. I am not without hope that it may be serviceable to Mr. Braham, if the indulgence of that bad taste, to which *Minim* alludes, has not already got too far a-head of his better judgment. Too much praise, it is allowed, cannot be given to Bartleman; why then should Braham have sought so much to "split the ears of the groundlings," when his cotemporary has arrived at an equal degree of eminence, without the extraneous aid of this bad taste.—Sir, a more destructive blow has not been struck at sound musical taste in this country, than that which has been unintentionally levelled at it by this celebrated singer.

The long quotation from Arteaga appears to me to have nothing in the world to do with the subject: no one disputes that singers have, or ought to have, any other choice than to execute what the Poet and Musician have designed for them. "Arteaga," however, "is an eloquent writer, who loves Poetry better than Music," says Dr. Burney. But, Mr. Examiner, I cannot allow *Mark Minim* to get rid of my arguments in his piecemeal way. I stated that we had all the *accessories* (I must use the word) of a musical education in every corner of our houses; that we possessed Composers,—Performers, vocal and instrumental,—all of the highest class; that Concerts were frequent, and, I may add, well attended: and that all these taken together went far to prove, that we "are a Musical People;" but I have not argued that any one of these taken separately tends to the proof of that proposition.

I regret that the casual disposition of the names of our celebrated Composers has given *Mr. Minim* such offence: really, had I expected to meet with such an opponent, I would have set them down alphabetically. As he seems to need my "spiritual" aid in search of the Compositions of Samuel Wesley, of whom, from what he says, I venture to aver, he can have had no other experience than hearing him occasionally in an orchestra; let him refer to a late publication by Novello, where he will find enough, by each of these Masters, to place him in the same rank as a Musical Composer which the others deservedly enjoy. I also beg to remind *Mr. Minim*, that three years ago he might have heard, at the Hanover-square Rooms, a Motett by Wesley, for two choirs, beginning "In exitu Israel," which has not been equalled of late by any of the Composers named, Crotch excepted.

It is to be lamented, that we are often condemned to hear "a common air harmonized," and the rest of the flimsy stuff, of which he justly complains; but, Sir, I must, in justice to those who get up Concerts for our amusement, contend, that the good music brought before the Public thereat is always more in quantity than the bad: aye, Sir, and that the good music is relished by the audience. Let *Mr. Mark Minim* call to mind the overflowing houses at the Opera, when the music of Mozart and Winter was constantly performing, some six or seven years ago; let him reflect on the rapture with which Haydn's *Creation* is always heard, and the satisfaction that the public always exhibit on the performance of his symphonies: I deny that it is, as *Minim* asserts, attended with the "buzzing of a thousand tongues," or "received with indifference and neglect."

One cause of our sad falling off is, it appears, to be attributed to our German neighbours having made such wonderful improvement in instrumental composition.—Let me correct *Mr. Minim*.—The same disproportion, which now exists between the Germans and the English, has always existed, and from the different temperaments of the two nations, I think I may safely predicate, that it is likely to continue.—When this country, a hundred and more years after old Morley's time, had to boast of such men as Greene, Croft, Weldon, Boyce, and others, whose vocal productions are actually of the highest order,—there was in Germany Sebastian Bach, who, for organ, the most noble class of instrumental composition, has never been excelled.—No one, I trust, not even *Mr. Minim*, will deny, that of the two species vocal music is the more dignified: "Poichè, a riguardar le cose in Itesse, la musica stromentale non è che una imitazione o un sussidio della vocale." And in vocal composition we have no rival but Italy, nor ever had. The music of Mozart, Haydn, &c. I admire as much as my opponent; but many of their singing passages are better adapted for instrumental than vocal performance.

Mr. Mark Minim says, that when *he* was a young man, hundreds of English Gentlemen could make a most respectable figure in the quartetts of Sterkell, &c. &c. I can account for his present ignorance, by supposing, that now grown old, he has lost much of his relish for society, and consequently does not mix enough with the world to know, as I well do, who can easily transport myself whither I list, that there are hundreds of this same kind of Gentlemen now, who can do with the quartetts of Haydn and Mozart, as they did heretofore with those of the Authors he has named.

Patronage to vocal music has been great.—Were not at least half the glees in that voluminous publication by Warren written in competition for the prizes given by the Catch Club? Has not this patronage, I may say, *created* a beautiful species of writing (that of glees) unknown in other countries?—See the madrigals, too, that were lately produced for the cup given by the Madrigal Society, and especially that by Mr. Beale, a young Professor of great promise, to which the prize was awarded. Among the number was one by S. Wesley, which *Mr. Minim* may procure (as it is published), if he so choose, to satisfy himself that S. W. is a Composer.

But, Sir, I could really extend this letter to a much more considerable length, with names and proofs of the musical disposition of the English, but that I trust any reasonable person will be satisfied with what I have already advanced; and further, that I am ashamed to take up a larger portion of your paper, in proving that which almost every one feels and admits.

TALLIS'S GHOST.

Stamford-street, Sept. 20, 1814.

OLD BAILEY.

On Wednesday, the Recorder passed sentence of death on the following prisoners, viz.—John Richards and Hannah Goodger, for coining—Henry Clements, for stealing five bullocks—James Hardy, for a like offence—Catherine M'Carthy and Catherine Doyle, for uttering counterfeit money, having before been convicted of a like offence—Thomas Pearson, for house-breaking—Thomas Williams, for burglary—Mary Marriott, for stealing privately in a shop—Elizabeth Jows, for stealing in a dwelling-house—John Manners, for house-breaking—Sarah Keating, for stealing in a dwelling-house—Samuel Love, for a highway robbery—Charles Logan, for a like offence—James Coleman, for stealing in a dwelling-house—William Baxter, for house-breaking—Munnoo, for an unnatural crime—William Wood, alias White, alias Jones, Thomas Powell, alias Regan, and Thomas Hart, for burglary—James Magennis, for burglary—

Ann Hickey, for privately stealing in a shop—William Mitchell, for stealing in a dwelling-house—James Strangeways, for highway robbery.

POLICE.

QUEEN-SQUARE.

Mr. FIELDING, the Magistrate here, having given an opinion that complaints against hackney-coachmen may be heard, though they may not have given the complainants any of the tickets ordered by the New Act,—a number of coachmen have been brought up, and some of them punished for their misconduct.—On Wednesday, he granted a warrant against the driver of the coach No. 509, for having *refused* to carry a Mr. Wilson, until the latter had agreed not to demand a ticket! Mr. Wilson went to the Hackney Coach-Office in Essex-street, but the Commissioners themselves declared they could do nothing in it, unless he brought a ticket!—Learning that Mr. FIELDING held a different doctrine, he went to Queen-square, and the coachman was had up and fined for *ill behaviour* under the Act of Anne.—[All this sufficiently shews the obscurity and inefficiency of the New Hackney-Coach Law.]

ACCIDENTS, OFFENCES, &c.

EXECUTIONS.—So great was the public curiosity to see the unfortunate malefactors, that at seven o'clock on Monday morning the Old Bailey and Giltspur-street were crowded to a degree almost unprecedented. Much money was given for indifferent seats at the top of the houses opposite the Debtors' door; and carts, waggons, and other vehicles were all in requisition. It appears that Mitchell had entertained some hopes of acquittal, as he was often heard to say, "There was no corroborating proof of his having fired the pistol." At a quarter before eight the prisoners were introduced to the Press-yard, for the purpose of having their irons knocked off, accompanied by the Rev. Mr. Cotton and the Rev. Mr. Frere, the latter of whom sat up in constant prayer all the night with Hollins, who joined most fervently in the devotion.—Mitchell, who was dressed in black, was first brought out from the cell; he looked pale, and maintained a deportment of fallen resignation; he did not say a word, nor did he betray the slightest symptoms of feeling at his awful situation. He appeared regardless of any earthly transaction. The irons being knocked off, and the usual awful ceremony of tying the hands being executed, he lifted his hands as far as he was permitted, and looking up, bowed, and appeared to be in prayer.—Hollins stepped forward to the block with an activity which at first reminded us of the unhappy man, Ashton. He was, however, very tranquil, and upon being disencumbered of his irons, addressed the persons around him in nearly the following words: "Here you see I stand a victim to passion and barbarity, my crime is great, and I acknowledge the justice of my sentence. But oh! the unfortunate girl I loved, I adored as one of my own; I have made contrition and prayed for forgiveness; I resign myself under an impression that Almighty God has heard my prayers, and will forgive me; may you and the world take warning by my example, and here I confess the justice of my fate, receive my soul, O God!" At the last expression his feelings overcame him and he wept. The whole of the awful arrangements being complete, they were ushered to the fatal scaffold. Mitchell was until this time firm and unconcerned; he was prayed to by Mr. Cotton. He became much agitated, and the horrors of death were strongly pourtrayed in his countenance. Hollins shook hands with the officers of justice, declared to Mr. Frere that he was quite happy, and mounted the scaffold with great firmness and resignation. The Clergymen continued to pray to them, until the fatal signal was given, when the drop fell.—Mitchell continued in the strongest convulsions for several minutes, and appeared to die very hard. After they had hung some time, three females were introduced for the application of the "dead man's hand," supposed to remove marks, wens, &c. The first was a young woman of interesting appearance, who was so much affected by the ceremony, that she was obliged to be supported. At nine the bodies were cut down, and sent to St. Bartholomew's Hospital for dissection.

On Wednesday night, about ten o'clock, two men, dressed like seamen, attacked a collector of rents with sticks, in the public road, near the Haberdashers' Alms-houses, Hoxton. The Collector, beaten down, called loudly for aid, when a girl came up, who immediately received a violent blow from the villains. Her cries brought other persons to the spot, and one of the ruffians was secured. The collector was taken to the Hospital in a dangerous state.

A few evenings ago, a coachman walking with a female, near Hackney, was stopped by two men, who asked alms. The coachman gave them a shilling, but seeing that they were not satisfied, he desired them to keep their distance. They immediately assaulted him with knives, but the coachman defended himself till the cries of the young woman brought assistance, when the villains fled. The coachman lies dangerously ill, having been stabbed in two places.

On Wednesday, *Thomas Hearn*, a private watchman at Paddington, having taken offence at the conduct of one Saunders, (who had been disputing with a woman who lived with Hearn) he cut him with a cutlass several times, in so dreadful a manner, that Saunders went into a fit, and was carried to the Hospital. Hearn escaped, by threatening that he would murder any man who stopped him. The constable was afraid to arrest the ruffian, when Limbrick's patrole party was applied to. They went to the habitation of Hearn, near Paddington-green. Hearn refused them admittance, declaring that he would shoot any man who attempted to get in. Limbrick, however, proceeded to open the window, when Hearn presented a large horse pistol at him, which luckily flashed in the pan. Limbrick cut him on the thumb; upon which he again snapped the pistol, which again missed fire. Limbrick gave him another wound, boldly got in at the window, and secured the villain, who has been committed for trial.

MARRIAGES.

On the 17th instant, Samuel Cummings, Esq. one of his Majesty's Commissariats, to Miss Mary Ann Davies, the only child of Richard Davies, Esq. of Hatton-Garden.

On the 19th inst. at St. Mary, Whitechapel, by the Rev. Wm. Hall, Mr. Richard Archdeacon, of Bow, Middlesex, to Miss Elizabeth Keys, of Mile-End, Old Town.

DEATHS.

On the 15th ult. Wm. Muscall, Esq. of Osborne-place, Spital-fields, late of Aldgate.

At Stoke-Newington, Joseph Gurney Bevan, a teacher amongst the Society of Friends.

At Hythe, in Kent, in consequence of a mortification proceeding from the dislocation of a finger, in stopping a cricket ball, Capt. James Bullen, of the Scots Greys.

Wednesday, Mrs. Lamarsh, of Newcastle. She went to the baths to bathe, and after being in the cold bath about ten minutes, she was found floating on the water lifeless. It is supposed she was seized with a fit in the water.

On Wednesday week, at Norwich, James Poole, Esq. formerly Deputy Inspector of Foreign Corps. He was a virtuous public officer; and because he would not consent to wink at the corrupt practices of his superiors, he was most shamefully treated, particularly by the late Mr. Windham and his peculating friends. This ill treatment had the effect of throwing Mr. Poole into a lingering complaint, which brought him to a premature death.

Lately, at Vienna, the Queen of Sicily. She had retired to rest as usual, when after some time her attendants heard a noise: on their approach to the bed, they found that her Majesty had expired.—She was a cruel, restless, and altogether profligate woman, the disgrace of her sex and the scourge of her subjects.

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